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Date:	September 26, 2005	Phone Number	Fax Number
To:	Board of Patent Appeals & Interferences		
From:	Kevin J. Zilka		

Docket No.: BVOCPO01

App. No: 09/769,880

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to the Board of Patent Appeals & Interferences.

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September 26, 2005

Practitioner's Docket No. BVOCP001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Bertrand A. Damiba

SEP 26 2005

Application No.: 09/769,880

Group No.: 2655

Filed: January 24, 2001

Examiner: McFadden, S.

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A DISTRIBUTED  
SPEECH RECOGNITION TUNING PLATFORM

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
 (37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 27, 2005, twice rejecting claims 1-6, 11 and 16-26.

## 1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on January 24, 2001.

---

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
 (When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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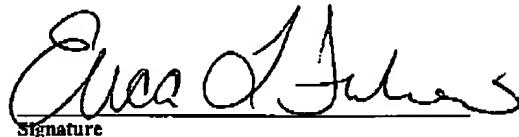
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 Signature

Date: 9/26/2005

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(j). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.8(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity	\$250.00
Notice of Appeal fee due	\$250.00

**3. EXTENSION OF TERM**

Applicants believe no Extension of Term is necessary. However, if an extension of time is required, please consider this a petition therefor. Please charge the necessary fees to deposit account 50-1351 (Order No. BVOCP001).

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$0.00 (paid previously on April 06, 2005)
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**TOTAL FEE DUE \$0.00**

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**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. BVOCP001).

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

Signature of Practitioner  
Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

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Practitioner's Docket No. BVOCP001

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bertrand A. Damiba

Application No.: 09/769,880

Group No.: 2655

Filed: January 24, 2001

Examiner: McFadden, S.

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